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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/074,770	02/12/2002	Dennis Van De Meulenhof	PHNL 010099	7242

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS  
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BRIARCLIFF MANOR, NY 10510

EXAMINER
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PATEL, ASHOKKUMAR B

ART UNIT	PAPER NUMBER
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2154

DATE MAILED: 01/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/074,770

Applicant(s)

VAN DE MEULENHOF, DENNIS

Examiner

Ashok B. Patel

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 07 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. Claims 1-7 are subject to examination.

#### ***Continued Examination Under 37 CFR 1.114***

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/07/2005 has been entered.

#### ***Response to Arguments***

3. Applicant's arguments with respect to claims 1-7 have been considered but are moot in view of the new ground(s) of rejection. However, Examiner would like to address the following argument again.

#### **Applicant's argument:**

"Applicant respectfully contends that this standard is incorrect and that, under § 102, each and every element in the claim must be shown by the Examiner in the cited art or patent must issue.

#### **Examiner's response:**

**Prior art is qualified according to the Statutory language.** As such, although Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant and although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures

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may apply as well, Examiner had respectfully requested from the applicant in preparing the response, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 1, 6 and 7 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

6. Claims 1 and 6 recite the limitation "the respective node stations" in line 4 and line 5 respectively. There is insufficient antecedent basis for this limitation in the claim. Claim 7 is an apparatus being arranged for operating as a node station in a system as claimed in claim 6, therefore, claim 7 is also rejected for the same reasons as set forth for claim 6.

***Response to Amendment***

7. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

8. Claim 4 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to

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reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention, The claim contains "wherein said subset is made up of only one physical nodes of the network."

For the purpose of the office action, it is interpreted as being one of the physical nodes of the network.

***Claim Rejections - 35 USC § 102***

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless-

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

10. Claims 1-7 are rejected under 35 U.S.C. 102(e) as being anticipated by Shima et al. (US 6, 366, 964 B1).

**Referring to claim 1,**

The reference teaches a method for executing a re-configuration in a self-configuring digital network after occurrence of a reconfiguration trigger, through upon detecting such trigger, communicating between various physical nodes their respective logical node identifiers and furthermore communicating functionality informations regarding the respective node stations (col. 1, line 46-

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48,” A node is considered a logical entity with a unique address on the bus structure.”, Abstract, “During a self-identifying process, after the bus reset, information about the characteristics of the devices within the network is received. From this self-identifying information objects representing the devices are generated. Existing handle objects from a previous bus configuration are then compared to these objects. If a handle matches an object, then a pointer value within the handle is changed to point to an address of the object.”),

said method being characterized by, associated to such detecting, recognizing in a particular node such other nodes that before such trigger had been conducting a communication relation with said particular node, marking all logical node mappings on the various physical nodes as invalid (Abstract, “For devices removed from the network, the handle object is preferably never discarded but is made invalid. For devices added to the network, existing invalid handle objects are preferably re-validated and attached to objects representing devices.”, col. 3, line 47-51), through said communicating of logical node identifiers establishing said reconfiguration, whilst executing the communicating of said functionality informations on a basis of necessity (col. 3, line 51-55), further wherein whilst in association with said reconfiguration storing an overall network topology in a subset made up of any one or more physical nodes of the network (Fig. 2., col. 2, line 42-50,” After a bus reset, the only information known to a node is whether the node is a branch node, a leaf node or an isolated node. A branch node has more than one directly connected neighbor. A leaf node has only a single neighbor. An isolated node is unconnected. After a bus reset, a

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tree identification process is performed. During the tree identification process, the general network topology is determined and translated into a tree.”)

**Referring to claim 2,**

The reference teaches a method as claimed in claim 1, wherein such reconfiguration undertakes to re-establish an existing mapping pattern of logical identifiers from a hitherto communication-related sub-sets among said nodes, whilst seeking replacement of interrupted communication-relations on a basis of necessity. (col. 3, line 51-55),

**Referring to claim 3,**

The reference teaches a method as claimed in claim 1, wherein upon detection of an invalid and unrestorable mapping, a network-wide query is undertaken for a replacement target node for effecting such mapping. (col. 6, line 29-53)

**Referring to claim 4,**

The reference teaches a method as claimed in claim 1, wherein said subset is made up of only one physical nodes of the network. (col. 7, line 6-17, col. 2, line 42-50,” After a bus reset, the only information known to a node is whether the node is a branch node, a leaf node or an isolated node. A branch node has more than one directly connected neighbor. A leaf node has only a single neighbor. An isolated node is unconnected. After a bus reset, a tree identification process is performed. During the tree identification process, the general network topology is determined and translated into a tree.”)

**Referring to claim 5,**

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The reference teaches a method as claimed in claim 1, wherein said network is based on IEEE 1394 or USB. (col. 7, line 6-17, Abstract)

**Referring to claim 6,**

Claim 6 is a claim to a system being arranged for implementing a method as claimed in claim 1. Therefore claim 6 is rejected for the reasons set forth for claim 1.

**Referring to claim 7,**

Claim 6 is a claim to an apparatus being arranged for operating as a node station in a system as claimed in claim 6. Therefore claim 7 is rejected for the reasons set forth for claim 6.

***Conclusion***

**Examiner's note:** Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ashok B. Patel whose telephone number is (571) 272-3972. The examiner can normally be reached on 8:00am-5:00pm.



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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A. Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Abp

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